

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STACEY HESSLER,

Plaintiff,

-against-

**DEFENDANTS'
PROPOSED VERDICT
SHEET**

13 Civ. 821 (NRB)

PO DANIEL JASINSKI (Sh. 18741), LT. JOHN HALL,
P.O. MARIA MCSWEENEY (Sh. 15394) and P.O. "JANE
DOE" AND "JOHN DOE" 1-10. 1'through' 10 inclusive,
the names of the last defendants being fictitious, the true
names of the defendants being unknown to the plaintiff(s),

Defendants.

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Defendants Daniel Jasinski, John Hall, and Maria McSweeney, pursuant to Rule 49 of the Federal Rules of Civil Procedure, submit the following proposed verdict sheet:

QUESTION NO. 1

Has plaintiff proven by a preponderance of the credible evidence that she was falsely arrested by any of the following defendants?

John Hall: YES _____ NO _____

Maria McSweeney: YES _____ NO _____

Daniel Jasinski: YES _____ NO _____

If you answered "No" as to all defendants please skip to Question 5.

If you answered "Yes" as to any defendant please proceed to Question 2.

QUESTION NO. 2

Has plaintiff proven by a preponderance of the credible evidence that she suffered compensatory damages as a result of being arrested by either of the defendants?

John Hall: YES _____ NO _____

Maria McSweeney: YES _____ NO _____

Daniel Jasinski: YES _____ NO _____

If you answered “No”, please proceed to Question 3.

If you answered “Yes”, please skip to Question 4.

QUESTION NO. 3

What amount of nominal damages, not to exceed one dollar, do you award plaintiff on her false arrest claim?

\$_____

Please proceed to Question 5.

QUESTION NO. 4

What amount of damages has plaintiff proven by a preponderance of the credible evidence she is entitled to for the deprivation of her liberty that she suffered from the time of her arrest on November 17, 2011, through her arraignment later that same day?

\$_____

QUESTION NO. 5

Has plaintiff proven by a preponderance of the credible evidence that excessive force was used against him by any of the following defendants?

John Hall: YES _____ NO _____

Maria McSweeney: YES _____ NO _____

Daniel Jasinski: YES _____ NO _____

If you answered “No” as to all defendants, your deliberations are finished. Page three (3) of this verdict form should be signed and dated by the foreperson and given to the Marshal.

If you answered “Yes” as to any defendant please proceed to Question 6.

QUESTION NO. 6

Has plaintiff proven by a preponderance of the credible evidence that he suffered compensatory damages as a result of being subjected to excessive force by either of the defendants?

John Hall: YES _____ NO _____

Maria McSweeney: YES _____ NO _____

Daniel Jasinski: YES _____ NO _____

If you answered “No”, please proceed to Question 7.

If you answered “Yes”, please skip to Question 8.

QUESTION NO. 7

What amount of nominal damages, not to exceed one dollar, do you award plaintiff on her excessive force claim?

\$_____

Your deliberations are finished. This verdict form should be signed and dated by the foreperson and given to the Marshal.

QUESTION NO. 8

What amount of compensatory damages did plaintiff prove by a preponderance of the evidence that she should be awarded for her excessive force claim?

\$_____

Dated: New York, New York
August 18, 2015

ZACHARY W. CARTER
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and Maria McSweeney*
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By: _____ /s/
Andrew Lucas
Assistant Corporation Counsel